



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF HOME INSPECTORS

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PUBLIC MEETING NOTICE:	BOARD OF HOME INSPECTORS
DATE AND TIME:	Tuesday, April 8, 2014 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, DE Cannon Building, Second-Floor Conference Room A
APPROVED:	May 13, 2014

MEMBERS PRESENT

Donald E. Pyle, Sr., Professional Member, Chair
Dennis Theoharis, Public Member, Vice Chair
Tim Harriger, Professional Member (arrived at 9:15 a.m.)
Jay "Wes" Mast, Professional Member
Joyce Edwards, Public Member

MEMBERS ABSENT

None

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Singh, Deputy Attorney General
Amanda McAtee, Administrative Specialist II

PUBLIC PRESENT

Nicholas Stanisic

CALL TO ORDER

Mr. Pyle called the meeting to order at 9:10 a.m.

Introduction of New Professional Board Member, Jay "Wes" Mast

Mr. Pyle introduced Mr. Mast to the Board.

REVIEW AND APPROVAL OF MEETING MINUTES

The Board reviewed the meeting minutes from the March 11, 2014 meeting. Mr. Theoharis made a motion, seconded by Mr. Harriger, to approve the minutes as written. The motion carried unanimously.

UNFINISHED BUSINESS

Final Denial

None

Decision on Proposal to Deny Hearing – Nicholas Stanisic

Ms. Singh stated that at the end of the February 11, 2014 proposal to deny hearing of Mr. Stanisic, Mr. Pyle had made a motion that was seconded by Mr. Harriger, to deny the application of Mr. Nicholas Stanisic because Maryland's licensing requirements were not substantially similar to those of Delaware. Mr. Pyle's motion was not voted on and therefore did not carry. The Board gave Mr. Stanisic the option of withdrawing his application, amending his application to become a home inspector trainee, or to do nothing and the Board would vote on Mr. Pyle's motion to deny his application. The hearing record was left open until the Board's March 11, 2014 meeting so that Mr. Stanisic could make a decision. Due to a misunderstanding Mr. Stanisic's attorney, Mr. Nutter, requested a continuance in which the Board granted.

Ms. Singh stated that since the February 11, 2014 hearing Mr. Nutter, Mr. Stanisic's attorney, had contacted Ms. McAtee and stated that Mr. Stanisic did not wish to amend or withdraw his application.

Ms. Singh stated that Mr. Pyle's motion to deny the application was still on the floor and the question once again before the Board was for them to decide if Maryland's license law was substantially similar to Delaware. Ms. Edwards and Mr. Mast recused themselves from the discussion and vote since they were not present at the February 11, 2014 hearing.

Mr. Theoharis once again reviewed the statute of Maryland. Mr. Pyle stated that he did not agree that Maryland was substantially similar. Mr. Harriger stated that he did not feel that they were substantially similar due to the number of supervised inspection hours because Maryland did not require supervised inspection hours as part of licensing.

Mr. Stanisic requested that the Board accept his application based on the fact that he had been in business for 35 years in construction and had a builder license for 25 years in the State of Maryland. Mr. Stanisic stated that he attended courses provided by the ASHI School and passed the ASHI exam, and then subsequently passed the national home inspector exam. Mr. Stanisic stated that he was licensed in Maryland and he had been performing inspections in Washington D.C., Maryland, and Virginia. In addition to his Maryland license Mr. Stanisic was a member of ASHI, completed continuing education for his Maryland license, went twice a month to ASHI meetings, and had a good reputation. Mr. Stanisic explained that he started his home inspection business in the state of Delaware before August 6, 2013, that he currently held a business license for home inspection in the State of Delaware, that he owned a home in Sussex County, and that he wanted to have the opportunity to inspect homes in Delaware. Mr. Stanisic stated that he was a qualified home inspector, that he passed the ASHI training course which included on-site inspection training, and he wanted the Board to consider his education and experience.

Mr. Harriger stated that someone could be the best home inspector in the State of Delaware but there was no way to quantify that without having guidelines or minimum requirements in place. The minimum requirements were set up to protect the public. Mr. Harriger felt Mr. Stanisic brought up valid points but he felt that the home inspection experience end of the qualifications was just as important as home inspector education. Mr. Harriger stated that he was once in favor of having a higher amount of supervised inspections as a licensure requirement. He stated that he built houses before entering the home inspection business and he felt that he didn't have adequate home inspection experience until he had completed 1000 home inspections. Mr. Harriger explained that the Board would have a hard time translating home building experience into home inspection experience because there would be no way of proving how much time a builder spent on constructing homes.

Mr. Stanisic stated that he took a course with ASHI and stated that you could test someone's experience by testing someone's knowledge. If a person passed the ASHI exam and national home

inspector exam, then that person would have to know something about the home inspection business. Mr. Stanistic stated that he carried the required E&O and liability insurance and he felt that he did a great job inspecting homes.

Mr. Theoharis questioned when Mr. Stanistic started his home inspection business and how many completed inspections he had to date. Mr. Stanistic stated that he had completed 51 inspections and he started the business in May of 2013.

Mr. Harris stated that Mr. Stanistic had passed the exams, but the Board did not feel that construction experience carried weight with home inspection experience because the Board did not have a way of quantifying construction experience as home inspection experience.

The Board went off record to deliberate at 9:53 a.m.
The Board ended deliberations at 10:06 a.m. and went back on record.

Mr. Pyle stated that the Board was prepared to vote on the motion that he made at the February 11, 2014. Mr. Pyle made a motion, seconded by Mr. Harriger, to deny the application of Mr. Nicholas Stanistic because Maryland's licensing requirements were not substantially similar to those of Delaware. The motion carried, with Mr. Mast and Ms. Edwards recused.

Continued Discussion of the New Castle County Board of Realtors Contract with Regards to Home Inspection

Ms. Singh stated that the forms had not been changed and that she had spoken to their attorney and that they had put the issue in front of their task force. Ms. Singh stated that monitoring this would be appropriate and the topic would continue to be on future agendas to monitor the situation.

NEW BUSINESS

Ratification of Issued Home Inspector Licenses

Donald E. Pyle, Jr. – Home Inspector (tabled from January meeting)

Mr. Harriger made a motion, seconded by Mr. Harriger, to ratify the license of Donald E. Pyle, Jr., Home Inspector. The motion carried, with Mr. Pyle recused.

Jonathon D. Mast – Home Inspector Trainee

Mr. Harriger made a motion, seconded by Ms. Edwards, to ratify the license of Jonathon D. Mast, Home Inspector Trainee. The motion carried, with Mr. Mast recused.

Stephen J. Mulrooney – Home Inspector Trainee

Mr. Harriger made a motion, seconded by Ms. Edwards, to ratify the license of Stephen J. Mulrooney, Home Inspector Trainee. The motion carried unanimously.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

Ms. McAtee stated that the Board had received their first complaint and that she would put it on the next agenda. Ms. McAtee briefly explained to the Board the complaint process and the role a professional member would play if an investigator required a professional opinion in investigating a complaint.

The Board reviewed the proposed rules and regulations change that was published in the April 1, 2014 Register of Regulations.

Mr. Pyle confirmed that trainee inspections could be performed in other states as long as it was with a Delaware licensed home inspector.

Mr. Harriger questioned if the next agenda could include the discussion of the qualifications of a builder for home inspector experience. Mr. Pyle stated that it would be on the next agenda and encouraged the Board to look at other states and think about how the Board would be able to quantify it.

PUBLIC COMMENT

Mr. Stanisc questioned if the proposed regulations were opening back up the grandfather period.

Ms. Singh stated that it could be viewed that way, but the requirements would require the applicant to have the statutory education and testing requirements as well. Ms. Singh stated that the State of Pennsylvania did not have a licensing board and home inspectors in that state would never qualify for licensure under endorsement.

Mr. Stanisc questioned how he could stay up to date with what the board was discussing at meetings and if he would have to attend every meeting to gain information. Ms. McAtee stated that the minutes were published after they received board approval at the next scheduled board meeting. Also an agenda was posted seven days prior to the public meeting and could be amended up to six hours prior to the meeting. Ms. McAtee suggested that Mr. Stanisc review the meeting agendas in order to see what would be discussed at upcoming meetings.

NEXT MEETING

The next Board meeting will be at **9:00 a.m. on Tuesday, May 13, 2014 in Conference Room B** located on the second floor of the Cannon Building at 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business to discuss, Mr. Theoharis made a motion, seconded by Mr. Pyle, to adjourn the meeting at 10:53 a.m. The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', with a stylized flourish at the end.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.